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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Rosendo FLORES-Bernal (1), Oscar GONZALEZ-Camargo (2), Defendants.	Mag. Case No. '08 MJ 8480 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1324(a)(1)(A)(ii) Illegal Transportation of Aliens Title 18 U.S.C., Section 2, Aiding and Abetting

The undersigned complainant, being duly sworn, states:

On or about May 28, 2008, within the Southern District of California, defendants, Rosendo FLORES-Bernal and Oscar GONZALEZ-Camargo, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, Berenice CABRERA-Guerrero, Mariajose CORONA-Morales and Monserrat CORONA-Morales had come to, entered or remained in the United States in violation of law, did transport or move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section, 1324(a)(1)(A)(ii) and Title 18, United States Code, Section 2.

And the complainant states that this complaint is based on the attached statement of facts which, is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 29th DAY OF MAY 2008.

PETER C. LEWIS
United States Magistrate Judge

UNITED STATES OF AMERICA
v.
Rosendo FLORES-Bernal (1)
Oscar GONZALEZ-Camargo (2)

STATEMENT OF FACTS

The complainant states that this complaint is based upon statements in the investigative reports by U. S. Border Patrol Agent J. Benavides that on May 28, 2008 the defendants, Rosendo FLORES-Bernal and Oscar GONZALEZ-Camargo, both citizens of Mexico, were apprehended in Brawley, California, along with sixteen (16) undocumented aliens from Mexico, in violation of law.

On May 28, 2008 at approximately 8:40 a.m., U. S. Border Patrol Agent's received information that a vehicle had crossed the International Boundary with Mexico west of the Calexico West Port of Entry. The El Centro Border Patrol Station's Remote Video Surveillance System (RVSS) Operator confirmed this information and located a pickup truck driving through the desert in an area that is notoriously known for being used by smugglers. The RVSS operator reported a white pick-up truck with no camper shell was northbound from the border area. When the truck reached Highway 98, Customs and Border Protection (CBP) Pilots R. Roden and R. Baker maintained a constant visual of the truck. Agent J. Morales was able to get close enough to have the truck's registration checked. The truck's registration revealed it has a release of liability with no current owner. Agent Morales informed other units the truck was traveling at a high rate of speed and the CBP Pilots maintained a constant visual on the truck as it sped away from Agent Morales. Agents J. Vera and J. Benavides, who were driving an unmarked Border Patrol vehicle, were able to locate and follow the truck. The agents observed the driver, later identified as Rosendo FLORES-Bernal, drive the truck through several stop signs and ignored stop lights while continuing to travel at high speeds. At one point, FLORES drove through a stop sign and forced another motorist off the road.

FLORES eventually drove to the outskirts of Brawley, California. Agents had notified the Brawley Police Department of the direction of travel FLORES was taking.

Brawley Police Officer J. Rotner encountered the truck near Highway 86 and Legion Roads in Brawley. Officer Rotner took over primary pursuit of the truck and using his emergency lights and siren on his marked Brawley Police sedan attempted to stop FLORES. FLORES failed to yield to Officer Rotner. Other units from the Brawley Police Department assisted in the pursuit of FLORES. During the pursuit, FLORES traveled through the City of Brawley at high speed and at one point, traveling at high speeds, went through a posted school zone during school hours of operation.

FLORES led law enforcement on a pursuit that eventually came to the Brawley Airport. FLORES came to a dead end at the Airport due to chain link fences and gates. However, FLORES used the truck to ram two gates at the Airport in an attempt to continue to flee from law enforcement. On the second gate the truck became disabled. FLORES and another front seat passenger, later identified as Oscar GONZALEZ-Camargo, ran from the truck. FLORES and GONZALEZ were soon apprehended by Agents Vera and Robles at the scene. As Agent Vera and Benavides approached the occupants still inside the truck, they identified themselves and questioned them. It was determined the occupants are all citizens Mexico illegally in the United States.

Brawley Police Officers J. Rotner, B. Harsang, R. Davey and M. Fuentes were all able to positively identify FLORES as the driver of the truck during the pursuit. FLORES, GONZALEZ and the undocumented aliens were arrested and transported to the EL Centro Border Patrol Station.

Agent Vera read FLORES his rights per Miranda. FLORES stated he understood his rights and was willing to speak with agents without an attorney present. FLORES stated he made arrangements with an unknown smuggler to be smuggled in to the United States. FLORES stated he was to drive the truck into the United States in lieu of payment for smuggling. FLORES stated there was a phone in the truck in which he used to obtain directions from. FLORES stated he smoke "ICE" before embarking on his trip into the United States.

Material Witnesses Monserrat CORONA-Morales and Mariajose CORONA-Morales stated they made arrangements in Mexico to pay a fee to be smuggled into

United States. Material Witness Berenice CABRERA-Guerrero stated she made arrangements to pay Rosendo FLORES-Bernal a fee of $2,500.00 to smuggle her into the United States.

Monserrat CORONA-Morales and Mariajose CORONA-Morales stated they were traveling in the front cab of the truck. Monserrat CORONA-Morales and Mariajose CORONA-Morales stated both men, FLORES and GONZALEZ, loaded the group into the truck. Monserrat CORONA-Morales and Mariajose CORONA-Morales stated GONZALEZ was giving FLORES directions on how to drive and kept yelling to FLORES to keep going throughout the entire ride. Monserrat CORONA-Morales and Mariajose CORONA-Morales stated when they were afraid and yelling at FLORES to stop, GONZALEZ told them to "Shut-up." Monserrat CORONA-Morales and Mariajose CORONA-Morales stated they heard the emergency sirens of the pursuing officer. Monserrat CORONA-Morales stated the only ones who ran away from the scene were FLORES and GONZALEZ.

CABRERA stated FLORES was being called "El Cora" by his associates around him. CABRERA stated she sat in the front seat of the truck between the driver, FLORES, and his associate, later identified as Oscar GONZALEZ-Camargo. CABRERA stated GONZALEZ told FLORES to wait for shift change before driving through. CABRARA stated both men arrived together to pick up and loaded up the group. CABRARA stated both men attempted to flee from the Police once the vehicle stopped.

Monserrat CORONA-Morales, Mariajose CORONA-Morales and Berenice CABRERA-Guerrero Stated FLORES was driving at high rates of speed, through school zones, ran stop signs and disregarded traffic lights.

Monserrat CORONA-Morales, Mariajose CORONA-Morales and Berenice CABRERA-Guerrero were shown two separate six pack photo line-ups and identified FLORES as the driver of the truck and GONZALEZ as the second smuggler of the group

Agents interviewed GONZALEZ, the only other front seat passenger who attempted to abscond with FLORES. Agent Vera read GONZALEZ his rights per

Miranda. GONZALEZ stated he understood his rights and was willing to speak with agents without an attorney present. GONZALEZ stated he tried to illegally cross into the United States but failed. GONZALEZ stated he helped the driver, FLORES, load up the individuals into the truck and then covered them with a tarp. GONZALEZ stated he used two types of drugs prior to them embarking on their trip into the United States. GONZALEZ stated he used "ICE" and marijuana.

The complainant states that the names of the Material Witnesses are as follows:

NAME	**PLACE OF BIRTH**
Berenice CABRERA-Guerrero	Mexico
Mariajose CORONA-Morales	Mexico
Monserrat CORONA-Morales	Mexico

Further, complainant states that Berenice CABRERA-Guerrero, Mariajose CORONA-Morales and Monserrat CORONA-Morales are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.